REMARKS

Claims 1, 2 and 7 are amended herein to correct typographical errors and to clarify the claimed invention. Specifically with respect to claim 7, Applicants note that in the Amendment field on November 3, 2003, claim 7 was shown with markings to indicate changes to the claim with the claim identifier "original". Therefore, in order to prevent any ambiguity claim 7 is shown herein with the same changes as in the Amendment field on November 3, 2003, with the proper status identifier of "currently amended".

No issues of new matter are presented. Upon entry of the Amendment, claims 1-4 and 7 will be all of the claims pending in the application.

I. Response to Claim Rejections Under 35 U.S.C. § 112, 2nd Paragraph

Claims 1-4 and 7 are rejected under 35 U.S.C. § 112, 2nd paragraph as allegedly being indefinite due to the misspelled word "thermoplasitc" in line 3 of claim 1.

Applicants respectfully submit that the misspelled word is due to a typographical error, which does not rise to the level of indefiniteness under 35 U.S.C. § 112, 2nd paragraph. However, claim 1 is amended herein to correct the above-mentioned typographical error, thereby obviating the rejection.

Accordingly, Applicants respectfully request withdrawal of the rejection.

II. Response to Claim Rejections Under 35 U.S.C. § 103(a)

Claims 1-4 and 7 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Morii et al '378 for the reasons of record. Further, the Examiner state that it would have been obvious to one of ordinary skill in the art to modify illustrative example [1] of Morii et al and to use the water soluble adhesive materials taught by Morii et al, such as acrylate, gelatin,

casein, and polyvinyl acetate as the adhesive agents based upon the disclosure of these agents as useful adhesive agents.

The Examiner characterizes the arguments made in the Amendment filed on November 3, 2003, as describing water or aqueous solvents that prevent migration of low molecular weight materials to, or from, the holographic layer.

It is the Examiner's position that the claims are not limited to aqueous solvents and therefore the argument is not commensurate in scope to the claims. Further, the Examiner states that comparative example 1 in the specification lacks the adhesive layer (5, 5') of the prior art and therefore is not a better comparison to the claimed invention than the prior art. Further, the Examiner indicates that the solvent of the adhesive layers could migrate into the holographic layer causing swelling, and therefore the argument is factually weak.

The Examiner indicates that if Applicant can show the criticality of the adhesive layers, i.e., that the adhesive layers of the claimed invention provide unexpectedly superior properties when compared to those of the prior art, the claims may be found allowable.

Applicants respectfully submit that claim 1 is amended herein to clarify the claimed invention. Specifically, Applicants note that, if the surface protective layer is laminated on the volume holograph layer via "a coating layer dissolved or dispersed in a solvent", the solvent will migrate to the volume hologram layer and adversely influence the hologram recording. This is also evident from the present description on page 28, line 28 to page 29, line 6 of the specification, in which it is disclosed that when the heat seal layer in contact with the volume hologram layer is made from a water-soluble, heat-sensitive adhesive agent, it is possible to prevent migration of the solvent or the coloring agent in the heat seal layer to the volume hologram layer. Thus, the adverse influence on the hologram recording can be avoided.

In view of the above, the claims are amended herein to clarify the claimed invention by reciting that the thermoplastic resin layer comprises a coating layer in which a heat sealable, water-soluble adhesive agent is dissolved or dispersed therein. In addition, Applicants provide the following results from a comparative experiment, which establish that the claimed invention provides unexpectedly superior results over the prior art (if the Examiner would like this experimentation to be presented in a Rule 132 Declaration, he is requested to indicate this, and the undersigned will endeavor to obtain such a Declaration).

Instead of a thermoplastic resin layer in the third laminated film of Example 1 in the present specification, a solvent was used, which was obtained by dissolving 50 weight parts of "ethylene-vinyl acetate copolymer [(manufactured by Toyo Morton Co., Ltd.; AD 1790-15) described in the lamination film "b" of Example 7 in the present specification] to 50 weight parts of toluene. This was used as the third lamination film for comparison purposes and a hologram transfer foil was prepared by the same procedure as in Example 1 in the present specification.

In the hologram transfer foil thus prepared, diffraction efficiency was 85.2% and the peak wavelength was 513 nm. After the same procedure as in Example 1, this was left to stand at room temperature for 7 days, and optical characteristics were re-evaluated. Diffraction efficiency was 83.1% and peak wavelength was 491 nm. Peak wavelength showed substantial shifting.

Thus, the thermoplastic resin layer of the present invention as recited in claim 1 is not a mere barrier layer. Thus, one of ordinary skill in the art would not have been motivated to modify Morii et al with a reasonable expectation of success in achieving the claimed invention. Further, the claimed invention provides unexpectedly superior results over the prior art. Therefore the claimed invention is not rendered obvious by the cited prior art.

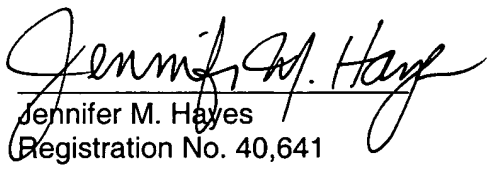
Accordingly, Applicants respectfully request withdrawal of the rejection.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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